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W3F1-2010-0056

June 17, 2010

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Director, Spent Fuel Project Office
Office of Nuclear Material Safety and Safeguards
Washington, DC 20555-0001

Subject: Withdrawal of 10 CFR 71.95 Report for Packaging and Transporting Shipping Cask (Model CNS 10-160B) Without Meeting a Required Condition in the Certificate of Compliance
Waterford Steam Electric Station, Unit 3
Docket No. 50-382
License No. NPF-38

References:

1. Entergy Letter W3F1-2009-0069, dated 12/3/2009, 10 CFR 71.95 Report for Packaging and Transporting Shipping Cask (Model CNS 10-160B) Without Meeting a Required Condition in the Certificate of Compliance.
2. USNRC Certificate of Compliance for Radioactive Material Packages, Certificate Number 9204, Revision 12, Docket Number 71-9204, Package Identification Number USA/9204/B(U)-85.

Dear Sir or Madam:

Waterford 3 Steam Electric Station (hereafter referred to as Waterford 3) is withdrawing the written report provided within Reference 1 based on the determination that a report was not required. The previous report was provided pursuant to 10 CFR 71.95(a)(3) for packaging and transporting radioactive waste in a model CNS 10-160B shipping cask without observing a condition of approval in the cask's associated Certificate of Compliance (COC). However, subsequent information has been learned that the shipment met all conditions required by the COC.

The content of this letter addresses the reporting information that was previously provided and is presented in the relative order as discussed in regulation 10 CFR 71.95(c).

NMSSO1

Brief Abstract

Waterford 3 packaged and transported shipping cask (model number 10-160B) containing a High Integrity Container (HIC) of spent plant resins on June 9, 2009 without having a shipping cask leak test performed on the STAT-O-SEAL. COC 9204 indicates pre-shipment leak testing is not required for contents that meet the definition of low specific activity material in 10 CFR 71.4 and also meet the exemption standard for low specific activity material and surface contaminated objects in 10 CFR 71.14(b)(3)(i). Since the contents of the shipping package met this criterion, pre-shipment leak testing was not required and the conditions required by the COC were met.

The recipient of the cask (Studsвик Processing Facility) acknowledged the arrival of the shipment on June 11, 2009 without incident. Inspection and survey of the cask revealed that no resins had escaped the HIC inside of the shipping cask. There was no additional exposure to radiation as a result of the shipment.

Narrative

While researching shipping documents for an unrelated issue on October 13, 2009, a review of shipping package 09-1005 determined that transport cask number 10-160B did not have a cask leak test performed on the STAT-O-SEAL vent plug. All other leak tests were performed on the cask's primary and secondary lids prior to shipment. It was erroneously reported in reference 1 that failure to perform the leak test on the STAT-O-SEAL vent plug was required by the COC. As stated previously, the contents of the shipping package met the definition of low specific activity material in 10 CFR 71.4 and also meet the exemption standard for low specific activity material and surface contaminated objects in 10 CFR 71.14(b)(3)(i) and pre-shipment leak testing was not required.

As reported in reference 1, the cask shipment departed Waterford 3 on June 9, 2009 via authorized transporter Hittman Transport Services. The cask shipment arrived at the Studsvik Processing Facility on June 11, 2009 without incident. The shipping cask contained a secondary High Integrity Container which housed 44.9 Curies of dewatered bead resin that was designated for thermal processing to allow disposition off-site. The processing facility completed a visual inspection and a radiological survey of the cask and internal container upon arrival. The inspection and survey revealed that no resins had escaped into or out of the shipping cask and there were no radiological conditions above Federal (NRC or DOT) limits.

Assessment of the Safety Consequences and Implications of the Event

The inspection and survey performed by Studsvik Processing Facility revealed that no resins had escaped into or out of the shipping cask and there were no radiological conditions above Federal (NRC or DOT) limits. There was no additional exposure to radiation as a result of this shipment.

Corrective Actions Planned/Taken

Since no error occurred in the use of the package in accordance with the COC, no corrective action is required.

Previous Similar Events

There have been no previous similar events at Waterford 3.

Contact Name and Telephone Number

A. Blake Pilutti 504-464-3271

Extent of Exposure of Individuals to Radiation or to Radioactive Materials

The shipment was made on June 9, 2009 and Studsvik Processing Facility acknowledged the arrival of this shipment on June 11, 2009 without incident. Inspection and survey of the cask revealed that no resins had escaped the HIC inside of the shipping cask and all dose rates were within Federal Limits.

The COC certificate holder is Energy Solutions, located at 140 Stoneridge Drive, Columbia, SC 29210. A copy of this withdrawal is being forwarded to the certificate holder.

This correspondence contains no new commitments.

If you have any questions or require additional information, please contact me at 504-739-6685.

Sincerely,

A handwritten signature in black ink, appearing to read "William Stult". The signature is fluid and cursive, with a large initial "W" and a long, sweeping tail.

WJS/RJP

cc: Mr. Elmo E. Collins, Jr.
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